

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

3

UNITED STATES OF AMERICA,)
)
Plaintiff,)
v.)
MATTHEW OPALISKI,)
)
Defendant.)

Criminal Action No. 15- 7-JNA

REDACTED

INDICTMENT

CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
FILED
2015 FEB 12 PM 4:09

The Grand Jury for the District of Delaware charges that:

COUNT 1

On or about November 24, 2014, in the District of Delaware and elsewhere, the defendant, MATTHEW OPALISKI, not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms, in violation of Title 18, United States Code, Sections 922(a)(1)(A), 923(a), and 924(a)(1)(D).

COUNT 2

On or about December 1, 2014, in the District of Delaware, the defendant, MATTHEW OPALISKI, not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms, in violation of Title 18, United States Code, Sections 922(a)(1)(A), 923(a), and 924(a)(1)(D).

COUNT 3

On or about December 1, 2014, in the State and District of Delaware, the defendant, MATTHEW OPALISKI, not being a licensed importer, manufacturer, dealer, and collector of

firearms, within the meaning of Chapter 44, Title 18, United States Code, did willfully transfer, sell, trade, give, transport and deliver firearms, that is, a Smith and Wesson, Blackhawk model .357/9mm-caliber revolver, serial number 38-24952; and a Springfield Armory, model XDS, 9mm-caliber pistol, serial number S4907311, to another person, said person not being a licensed importer, manufacturer, dealer, and collector of firearms, within the meaning of Chapter 44, Title 18, United States Code, knowing and with reasonable cause to believe that said person was not then residing in the State of Delaware, the State in which the defendant was residing at the time of the aforesaid transfer, sale, trade, transportation, and delivery of the firearm, in violation of Title 18, United States Code, Sections 922(a)(5) and 924(a)(1)(D).

COUNT 4

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From on or about December 2, 2014 through on or about February 5, 2014, in the District of Delaware and elsewhere, the defendant, MATTHEW OPALISKI, not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms, in violation of Title 18, United States Code, Sections 922(a)(1)(A), 923(a), and 924(a)(1)(D).

COUNT 5

On or about February 5, 2015, in the State and District of Delaware, the defendant, MATTHEW OPALISKI, not being a licensed importer, manufacturer, dealer, and collector of firearms, within the meaning of Chapter 44, Title 18, United States Code, did willfully transfer, sell, trade, give, transport and deliver firearms, that is, an Andersons Manufacturing, model AM-15, 5.56-caliber rifle, serial number 14118616, and a second Andersons' Manufacturing, model AM-15, 5.56-caliber rifle, serial number 14118610, to another person, said person not being a licensed importer, manufacturer, dealer, and collector of firearms, within the meaning of Chapter 44,

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Title 18, United States Code, knowing and with reasonable cause to believe that said person was not then residing in the State of Delaware, the State in which the defendant was residing at the time of the aforesaid transfer, sale, trade, transportation, and delivery of the firearm, in violation of Title 18, United States Code, Sections 922(a)(5) and 924(a)(1)(D).

NOTICE OF FORFEITURE

Upon conviction of the offenses alleged in Counts 1-5 of this Indictment, the defendant shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c) all firearms and ammunition involved in the commission of the offense. The foregoing shall include, but not be limited to the following:

- (1) a Smith and Wesson, .357/9mm-caliber revolver, serial number 38-24952;
- (2) a Springfield Armory, 9mm-caliber pistol, serial number S4907311;
DP 2/2/15
- (3) an Andersons' Manufacturing, 5.56-caliber rifle, serial number 14118616; and
DP 2/2/15
- (4) an Andersons' Manufacturing, 5.56-caliber rifle, serial number 14118610

If any of the forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided with difficulty;

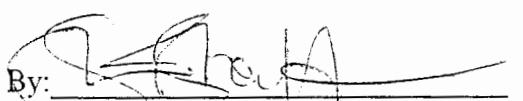
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

All in accordance with Title 18, United States Code, Section 982(a)(1), and Rule 32.2(a),
Federal Rules of Criminal Procedure.

A TRUE BILL:

Foreperson

CHARLES M. OBERLY, III
United States Attorney

By: 

Shannen T. Hanson
Assistant United States Attorney

Dated: February 12, 2015